

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00390-EGS

WITTES v. UNITED STATES DEPARTMENT OF STATE
Assigned to: Judge Emmet G. Sullivan
Cause: 05:552 Freedom of Information Act

Date Filed: 02/21/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**BENJAMIN WITTES**

represented by **Robert D. Friedman**
INSTITUTE OF CONSTITUTIONAL
ADVOCACY AND PROTECTION
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V.

Defendant**UNITED STATES DEPARTMENT OF
STATE**

represented by **Jason Todd Cohen**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
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Date Filed	#	Docket Text
02/21/2018	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF STATE (Filing fee \$ 400 receipt number 0090-5341021) filed by BENJAMIN WITTES. (Attachments: # <u>1</u> Exhibit FOIA Request, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(Friedman, Robert) (Entered: 02/21/2018)
02/23/2018		Case Assigned to Judge Emmet G. Sullivan. (zsb) (Entered: 02/23/2018)
02/23/2018	<u>2</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 02/23/2018)
02/26/2018	<u>3</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 02/26/18. (mac) (Entered: 02/26/2018)
03/16/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF STATE served on 3/2/2018, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/2/2018. (Answer due for ALL FEDERAL DEFENDANTS by 4/1/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 03/02/2018.

		(Attachments: # <u>1</u> Exhibit Receipt of Certified Mail to US Attorney General, # <u>2</u> Exhibit Tracking Information for Certified Mail Department of State, # <u>3</u> Exhibit Receipt of Certified Mail to US Attorney)(Friedman, Robert) (Entered: 03/16/2018)
03/23/2018	<u>5</u>	NOTICE of Appearance by Jason Todd Cohen on behalf of UNITED STATES DEPARTMENT OF STATE (Cohen, Jason) (Entered: 03/23/2018)
03/23/2018	<u>6</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Cohen, Jason) (Entered: 03/23/2018)
03/23/2018		MINUTE ORDER granting <u>6</u> government's unopposed motion for extension of time to file answer. Therefore, the defendant shall answer, or otherwise respond, to the plaintiff's complaint by May 2, 2018. Signed by Judge Emmet G. Sullivan on 3/23/2018. (lcegs3) (Entered: 03/23/2018)
03/26/2018		Set/Reset Deadlines: Defendant Answer Or Otherwise Response To The Complaint due by 5/2/2018,. (mac) (Entered: 03/26/2018)
05/02/2018	<u>7</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF STATE.(Cohen, Jason) (Entered: 05/02/2018)
06/13/2018		MINUTE ORDER. Plaintiff brings this action pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. 552. The parties are directed to meet and confer and propose a joint scheduling order for further proceedings in this case by no later than July 12, 2018. The parties' joint proposed scheduling order shall address the following: (1) The status of plaintiff's FOIA request; (2) The anticipated number of documents responsive to plaintiff's FOIA request; (3) The anticipated date(s) for release of documents responsive to plaintiff's FOIA request; (4) Whether a motion for an Open America stay is likely in this case; (5) Whether a Vaughn index will be required in this case; (6) Whether this case would benefit from referral to a magistrate judge or the District Court Mediation Program for purposes of settlement; and (7) A proposed briefing schedule for dispositive motions, if applicable. If the parties are unable to agree on a joint recommendation, the joint proposed scheduling order shall include each party's individual recommendations. Signed by Judge Emmet G. Sullivan on 6/13/2018. (lcegs3) (Entered: 06/13/2018)
06/14/2018		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 7/12/2018. (mac) (Entered: 06/14/2018)
07/12/2018	<u>8</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Cohen, Jason) (Entered: 07/12/2018)
07/16/2018		MINUTE ORDER in view of <u>8</u> parties' joint status report, the parties are directed to file a further joint status report by August 17, 2018. Signed by Judge Emmet G. Sullivan on 7/16/2018. (lcegs3) (Entered: 07/16/2018)
07/16/2018		Set/Reset Deadlines: Joint Status Report due by 8/17/2018. (mac) (Entered: 07/16/2018)
08/17/2018	<u>9</u>	Joint STATUS REPORT by BENJAMIN WITTES. (Friedman, Robert) (Entered: 08/17/2018)
08/21/2018		MINUTE ORDER in view of <u>9</u> parties' joint status report, the defendant is directed to make its second production by September 13, 2018. The Court declines to set a summary judgment briefing schedule at this time, but directs the parties to submit an additional joint status report by no later than September 17, 2018. Signed by Judge Emmet G. Sullivan on 8/21/2018. (lcegs3) (Entered: 08/21/2018)
08/21/2018		Set/Reset Deadlines: Joint Status Report due by 9/17/2018. (mac) (Entered: 08/21/2018)
09/17/2018	<u>10</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Cohen, Jason) (Entered: 09/17/2018)
09/18/2018		MINUTE ORDER in view of <u>10</u> parties' joint status report, the defendant is directed to make its final document production by October 15, 2018. The parties are directed to submit a joint status report by no later than October 22, 2018 recommending next steps for further proceedings. Signed by Judge Emmet G. Sullivan on 9/18/2018. (lcegs3)

		(Entered: 09/18/2018)
09/19/2018		Set/Reset Deadlines: Joint Status Report due by 10/22/2018. (mac) (Entered: 09/19/2018)
10/22/2018	<u>11</u>	Joint STATUS REPORT by BENJAMIN WITTES. (Friedman, Robert) (Entered: 10/22/2018)
10/22/2018		MINUTE ORDER in view of <u>11</u> joint status report, the parties shall adhere to the following schedule: (1) defendant's motion for summary judgment shall be filed by November 21, 2018; (2) plaintiff's opposition to defendant's motion and cross-motion for summary judgment shall be filed by December 21, 2018; (3) defendant's reply in support of its motion and opposition to plaintiff's cross motion shall be filed by January 24, 2019; (4) plaintiff's reply in support of his motion shall be filed by February 14, 2019. Signed by Judge Emmet G. Sullivan on 10/22/2018. (lcegs3) (Entered: 10/22/2018)
10/23/2018		Set/Reset Deadlines: Defendant's Motion For Summary Judgment due by 11/21/2018. Plaintiff's Opposition To Defendant's Motion And Cross-Motion For Summary Judgment due by 12/21/2018. Defendant's Reply In Support Of Its Motion And Opposition To Plaintiff's Cross Motion due by 1/24/2019. Plaintiff's Reply In Support Of Its Motion due by 2/14/2019. (mac) (Entered: 10/23/2018)
11/21/2018	<u>12</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Eric F. Stein, # <u>3</u> Text of Proposed Order)(Cohen, Jason) (Entered: 11/21/2018)
12/07/2018	<u>13</u>	STIPULATION of Dismissal by BENJAMIN WITTES. (Friedman, Robert) (Entered: 12/07/2018)